A/C NO – {1} Annexure-A

Letter to be sent to advocate for getting search and verification of title deeds/documents

Shri ANIL KUMAR AGRAWAL

904 GANDHI NAGAR KONCH

KONCH, Distt-Jalaun

Mobile -9415925321

Madam/ Dear Sir,

You are requested to make an investigation of title to the properties more fully described in the Schedule A-1 below, to enable us to obtain a valid and enforceable mortgage of the said property(ies). Annexure-‘B’ enclosed herein is the format for the preparation of the title investigation report. Please note that the items sought in Annexure-‘B’ are required to be filled up by you with full details. While the items mentioned in Annexure- ‘B’ are illustrative for making an effective search, we expect you to make an exhaustive and complete search of the title of the property.

2. Please know that the responsibility of making search of the records required for the purpose at various Govt./ registering authority/ revenue offices/ Company Registrar etc. is entirely on you and you shall be liable for any loss caused to the bank due to negligent search on your part or on the part of the agent/authorised representative engaged by you for this purpose.

3. Please note that you have to make an actual and personal inspection of relevant books and indexes maintained/kept in the office(s) of sub-registrar, office of registrar and other relevant offices wherever applicable. The search should cover all the subregistrar / registrar offices wherein the title documents are registered as well as such offices where such registration is legally possible.

4. Please also note to obtain certificates of encumbrance (EC) from the relevant offices (wherever such facility is available) to ensure that there are no subsisting charges/encumbrance on the property offered as security.

5. Please do not hesitate to demand any document/record/material required by you for the purpose of making proper investigation into the title to the property of the mortgagor.

6. In respect of all cases where the loan amount is less than Rs.1.00 crore, you have to make search of the title of the property for not less than 13 years if it establishes clear and marketable title. However, if the flow of title is not clear or in the event of any ambiguity about the title after search for 13 years, you may make search for not less than 30 years. In respect of all cases where the loan amount is Rs.1.00 crore and above, you have to make search of the title of the property for not less than 30 years irrespective of the fact that clear and marketable title is established by a shorter search of 13 years. In case of Builder Tie Ups (in case of Home Loans), for approval of the project search of the title for not less than 30 years is mandatory.

7. Please note that you are required to verify the original title deeds only, particularly, title deeds which are the subject matter of the mortgage. If the original title deeds/documents are not available and certified extracts are produced, kindly examine whether that should be sufficient for creation of a valid and enforceable mortgage and state what precautions are to be taken for the purpose.

8.You are also required to obtain the certified copies of all the relevant title documents directly from the office of the concerned sub-registrar/ registrar office and compare the same with the documents submitted by the customer. Please also attach all such certified copies along with your Report along with the receipt for fees paid for obtaining certified copies.

9. In case of agricultural lands offered as security, please specify as to whether there are any restrictions under the local laws for creation and enforceability of the mortgage of agricultural lands.

10. In case of Lending by Consortium members/Multiple Lenders and/ or extension of mortgages, priority of charges existing in favour of other charge holders, intervening charges created if any will have to be verified in detail, and please advise the Bank as to the restrictions/ limitations/ impediments, and remedial measures if any.

11. Please advise about all legal formalities/procedures required under laws to be complied with for valid creation of mortgage in favour of the Bank. If there are any legal impediments/restrictions, kindly advise as to whether such impediments can be cured and if so, what procedure is to be followed.

12. Please note that at no circumstances, you should submit a title investigation report (TIR) certifying clear and marketable title of the property with conditions or stipulations to be complied.

13. Please sign the duplicate of this letter acknowledging the receipt of the documents detailed in the Schedule A-1 and acceptance of the aforesaid stipulations under which you will be providing the required search report and certificate. The format of the TIR and Certificate on Title to be given as per Bank’s standard format, i.e. Annexure-B and Annexure-C.

14. The TIR along with all the original documents and certified copies of documents are to be submitted directly to the Branch concerned and in no circumstances the same to be handed over to the borrower/guarantor or his/their agent/representative.

15. Please acknowledge receipt.

Yours faithfully,

|  |  |
| --- | --- |
| Signature |  |
| Name | GYAN SINGH RAJPOOT |
| Designation | FO |
| Branch/Unit | ADB MOTH (03203 ) Distt JHANSI |
| Contact details |  |

Annexure-A1

Details of the property offered as the security (To be prepared by the branch)

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 1. | a) Name & Constitution of the Borrower | | | | **{2} S/O {4} R/O {5}** | | |
|  | b) Whether the loan proposal is for Rs. 1.00 crore and above? (Search for not less than 30 years is mandatory in such cases.) | | | |  | | |
| 2. | Name and constitution of the intended mortgagor | | | |  | | |
| 3. | Relationship between intended mortgagor and borrower (Please specify whether the intended mortgagor and borrower are one and the same or related as guarantor, co-borrower, power of attorney, etc.) | | | |  | | |
| 4. | Description of property/ properties | | | |  | | |
| 4.1 | Survey / Door No. | | | |  | | |
| 4.2 | Extent | | | |  | | |
| 4.3 | Location | | | |  | | |
| 4.4 | Boundaries | | | |  | | |
|  | East | | West | | North | | South |
|  |  | |  | |  | |  |
| 5. | List of documents delivered to advocate for verification (specify original/certified extracts/ copies, etc.) | | | |  | | |
|  | Sl. No. | Date-{date} | | Name/ Nature of the Document | Original/ certified copy/ certified extract/ photocopy, etc. | In case of copies, whether the original was scrutinized by the Branch. | |
|  | | | | | | | |
| 6 | Location Details | | | | {5} | | |
| 6.1 | Complete postal Address of the property/ properties. | | | |  | | |
| 6.2 | Prominent landmark | | | |  | | |
| 6.3 | Bus route | | | | NA | | |
| 6.4 | Bus Stop | | | | NA | | |
| 7. | Rough location sketch | | | | NA | | |
| 7.1 | Approach sketch to the location | | | | NA | | |
| 7.2 | Exact location of construction/ purchase and working plan | | | | NA | | |
| 8. | Please mention details about the builder (if applicable) | | | | NA | | |
| 8.1 | Name of the Firm | | | | NA | | |
| 8.2 | Address of the Firm | | | | NA | | |
| 8.3 | Telephone No. | | | |  | | |
| 8.4 | Contact person | | | |  | | |
| 8.5 | Is the builder/ project in the Bank’s latest approved list? Mention the date of approval of the builder and validity of the current approval. | | | | NA | | |

Yours faithfully,

|  |  |
| --- | --- |
| Signature |  |
| Name | GYAN SINGH RAJPOOT |
| Designation | FO |
| Branch/Unit | ADB MOTH (03203 ) Distt JHANSI |
| Contact Details |  |

**ANIL KUMAR AGRAWAL Off.: opposite civil court**

**Advocate Gandhi nagar konch**

**Rag.no. up 343/88 Distt- Jalaun**

**EMAIL-anilagrawal916@gmail.com Mob: No: 9415925321**

**Annexure- B: Report of Investigation of Title in respect of immovable Property\**

**(All Columns/items are to be complete /commented by the panel advocate)**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 1 | | a) Name of the Branch/ Business Unit/Office seeking opinion. | | | | | | | | | | | | | **S.B.I. Branch- ADB MOTH** | |
|  | | b) Reference No. and date of the letter under the cover of which the documents tendered for scrutiny are forwarded. | | | | | | | | | | | | | **Dt.{Date}** | |
|  | | c) Name of the Borrower. | | | | | | | | | **{Name} S/O {Father\_Name} R/O {Village}** | | | | | |
| 2 | | Name of the unit/concern/ company/person offering the property/ (ies) as security | | | | | | | | | | **{Name} S/O {Father\_Name} R/O {Village}** | | | | |
|  | | Constitution of the unit/concern/ person/body/authority offering the property for creation of charge. | | | | | | | | | | | | | **INDIVISUAL** | |
|  | | State as to under what capacity is security offered (whether as joint applicant or borrower or as guarantor, etc.) | | | | | | | | | | | | | **Borrower** | |
| 3 | | Complete or full description of the immovable property/ (ies) offered as security including the following details | | | | | | | | | | | | | **Agriculture land** | |
|  | | (a) Survey No. | | | | | | | | | | |  | | | |
|  | | (b) Door/House no. ( in case of house property) | | | | | | | | | | | | | **Nil** | |
|  | | (c) Extent/ area including plinth/ built up area in case of house property | | | | | | | | | | | | |  | |
|  | | (d) Locations like name of the place, village, city, registration, sub-district etc. Boundaries. | | | | | | | | | | | | |  | |
| **S.N** | | DISTRICT | PARGANA | | VILLEGE / MAUJA | | KHATA NO | KHASARA NO. | | AREA | | | | SHARE | TOTAL SHARE | ENCUMBRANCE/SALE /GIFT DURING THE PRECEDING 13 YEARS |
| 1 | | **JHANSI** | **MOTH** | | {5} , {6} | |  |  | |  | | | |  |  | **THIS LAND IS MORTGAGE IN FAVOUR OF SBI KRASHI VIKAS SHAKHA MOTH FOR RS. {3}/- ON NON .NO OTHER ENCUMBRANCE IS FOUND IN SR OFFICE MOTH.** |
|  | | H | | | |
|  | |  | | | |
| H |
| A |
|  | | | | | | | | | | | | | | | | |
| 4 | a) Particulars of the documents scrutinized-serially and chronologically.  (a) Nature of documents verified and as to whether they are originals or certified copies or registration extracts duly certified.  Note: Only originals or certified extracts from the registering/land/ revenue/ other authorities be examined. | | | | | | | | | | | | | | CERTIFIED KHATAUNI | |
|  | **Sl.**  **No.** | | | **Date** | | **Name/ Nature of**  **the Document** | | | **Original/ certified copy/**  **certified extract/ photocopy, etc.** | | | | | | | **In case of copies, whether the original was scrutinized by the Advocate.** | |
| **1** | | | {Date} | | KHATAUNI MAUJA **{5},{6}** | | | **CERTIFIED** | | | | | |  | |
| 5 | Whether certified copy of all title documents are obtained from the relevant sub-registrar office and compared with the documents made available by the proposed mortgagor? (Please also enclose all such certified copies and relevant fee receipts along with the TIR.) | | | | | | | | | | | | | | **N/A** | |
| 6 | Whether the records of registrar office or revenue authourities relevant to the property in question are availabie for verification through any online portal or computer system?  b-if such online /computer records are available whether any verification or cross checking are made and the cmments/findings in this regard.  c-whether the genuineness of the stam paper is possible to be got verified from any online portal and if so whether such verification was made? | | | | | | | | | | | | | | **NO**  BORROWER RECORDED | |
| 7 | a) Property offered as security falls within the jurisdiction of which sub-registrar office? | | | | | | | | | | | | | | **S.R. Office MOTH** | |
|  | b) Whether it is possible to have registration of documents in respect of the property in question, at more than one office of sub-registrar/ | | | | | | | | | | | | | | **No** | |

|  |  |  |  |
| --- | --- | --- | --- |
|  | district registrar/ registrar- general. If so, please name all such offices? |  | |
|  | c) Whether search has been made at all the offices named at (b) above? | **YES** | |
|  | d) Whether the searches in the offices of registering authorities or any other records reveal registration of multiple title documents in respect of the property in question? | **NA** | |
| 8 | Chain of title tracing the title from the oldest title deed to the latest title deed establishing title of the property in question from the predecessors in title/interest to the current title holder. And wherever Minor’s interest or other clog on title is involved, search should be made for a further period, depending on the need for clearance of such clog on the Title.  **In case of property offered as security for loans of Rs.1.00 crore and above, search of title/ encumbrances for a period of not less than 30 years is mandatory. (Separate Sheets may be used)** | | **{2} S/O {4} R/O {5} OWNER OF THIS LAND BEFORE 1-1-2009 TO TILL NOW.**  **CHAIN IS COMPLETED.** |
| 9 | Nature of Title of the intended Mortgagor over the Property (whether full ownership rights, Leasehold Rights, Occupancy/ Possessory Rights or Inam Holder or Govt. Grantee /Allottee etc.) | | **BHUMIDHARI RIGHT/Full Ownership** |
| 10 | If leasehold, whether; | | **NA** |
|  | a) lease Deed is duly stamped and registered | | **NA** |
|  | b) lessee is permitted to mortgage the Leasehold right, | | **NA** |
|  | c) duration of the Lease/unexpired period of lease, | | **NA** |
|  | d) if, a sub-lease, check the lease deed in favour of Lessee as to whether Lease deed permits sub- leasing and mortgage by Sub-Lessee also. | | **NA** |
|  | e) Whether the leasehold rights permits for the creation of any superstructure (if applicable)? | | **NA** |
|  | f) Right to get renewal of the leasehold rights and nature thereof. | | **NA** |
| 11 | If Govt. Grant/ allotment/Lease-cum/Sale Agreement, whether; | | **NA** |
|  | grant/ agreement etc. provides for alienable rights to the mortgagor with or without conditions, | | **NA** |
|  | the mortgagor is competent to create charge on such property, | | **NA** |
|  | whether any permission from Govt. Or any other authority is required for creation of mortgage and if so whether such valid permission is available. | | **NA** |
| 12 | If occupancy right, whether; | | **NA** |
|  | a) Such right is heritable and transferable | | RIGHT IS HERITABLE AND TRANSFERABLE |
|  | b) Mortgage can be created. | | MORTGAGE CAN BE CREATED. |
| 13 | Nature of Minor’s interest, if any and if so, whether creation of mortgage could be possible, the modalities/procedure to be followed including court permission to be obtained and the reasons for coming to such conclusion. | | **NA** |
| 14 | If the property has been transferred by way of Gift/Settlement Deed, whether: | | **NA** |
|  | a) The Gift/Settlement Deed is duly stamped and registered; | | **NA** |
|  | b) The Gift/Settlement Deed has been attested by two witnesses; | | **NA** |
|  | c) The Gift/Settlement Deed transfers the property to Donee; | | **NA** |
|  | d) Whether the Donee has accepted the gift by signing the Gift/Settlement Deed or by a separated writing or by implication or by actions; | | **NA** |
|  | e) Whether there is any restriction on the Donor in executing the  gift/settlement deed in question; | | **NA** |
|  | f) Whether the Donee is in possession of the gifted property; | | **NA** |
|  | g) Whether any life interest is reserved for the Donor or any other person and whether there is a need for any other person to join the creation of mortgage; | | **NA** |
|  | h) Any other aspect affecting the validity of the title passed through the gift/settlement deed. | | **NA** |
| 15 | In case of partition/family settlement deeds, whether the original deed is available for deposit. If not the modality/procedure to be followed to create a valid and enforceable mortgage. | | **NA** |
| (b) Whether mutation has been effected and whether the mortgagor is in possession and enjoyment of his share. | | THE MORTGAGOR IS IN POSSESSION AND ENJOYMENT OF HIS SHARE. |
| (c) Whether the partition made is valid in law and the mortgagor has acquired a mortgagable title thereon. | | **NA** |
| (d) In respect of partition by a decree of court, whether such decree has become final and all other conditions/ formalities are  Completed / complied with. | | **NA** |

|  |  |  |  |
| --- | --- | --- | --- |
|  | (e) Whether any of the documents in question are executed in counterparts or in more than one set? If so, additional precautions to be taken for avoiding multiple mortgages? | **NA** | |
| 16 | Whether the title documents include any testamentary documents /wills?   1. In case of wills, whether the will is registered will or   Un registered will? | **NA**  **NA** | |
|  | (b) Whether will in the matter needs a mandatory probate and if so whether the same is probated by a competent court? | **NA** | |
|  | (c) Whether the property is mutated on the basis of will? | **NA** | |
|  | (d) Whether the original will is available? | **NA** | |
|  | (e) Whether the original death certificate of the testator is available? | **NA** | |
|  | (f) What are the circumstances and/or documents to establish the will in question is the last and final will of the testator?  (Comments on the circumstances such as the availability of a declaration by all the beneficiaries about the genuineness/ validity of the will, all parties have acted upon the will, etc., which are relevant to rely on the will, availability of Mother/Original title deeds are to be explained.) | **NA** | |
| 17 | (a) Whether the property is subject to any wakf rights? | **No** | |
|  | (b) Whether the property belongs to church/ temple or any religious/other institutions having any restriction in creation of charges on such properties? | **No** | |
|  | (c) Precautions/ permissions, if any in respect of the above cases for creation of mortgage? | **NA** | |
| 18 | (a) Where the property is a HUF/joint family property, mortgage is created for family benefit/legal necessity, whether the Major Coparceners have no objection/join in execution, minor’s share if any, rights of female members etc. | **No** | |
|  | (b) Please also comment on any other aspect which may adversely affect the validity of security in such cases? | **NA** | |
| 19 | (a) Whether the property belongs to any trust or is subject to the rights of any trust? | **No** | |
|  | (b) Whether the trust is a private or public trust and whether trust deed specifically authorizes the mortgage of the property? | **NA** | |
|  | (c) If so additional precautions/permissions to be obtained for creation of valid mortgage? | **NA** | |
|  | (d) Requirements, if any for creation of mortgage as per the central/state laws applicable to the trust in the matter. | **NA** | |
| 20 | (a) If the property is Agricultural land, whether the local laws permit mortgage of Agricultural land and whether there are any restrictions for creation/enforcement of mortgage. | **AGRICULTURE LAND NO RESTRICTION FOR CREATION /ENFORCEMENT OF MORTGAGE** | |
|  | (b) In case of agricultural property other relevant records/documents as per local laws, if any are to be verified to ensure the validity of the title and right to enforce the mortgage? | **NA** | |
|  | (c) In the case of conversion of Agricultural land for commercial purposes or otherwise, whether requisite procedure followed / permission obtained. | | **NA** |
| 21 | Whether the property is affected by any local laws or other regulations having a bearing on the creation security (viz. Agricultural Laws, weaker Sections, minorities, Land Laws, SEZ regulations, Costal Zone Regulations, Environmental Clearance, etc.), | **No** | |
| 22 | (a) Whether the property is subject to any pending or proposed land acquisition proceedings? | **No** | |
|  | (b) Whether any search/enquiry is made with the Land Acquisition Office and the outcome of such search/enquiry. | **No** | |
| 23 | (a) Whether the property is involved in or subject matter of any litigation which is pending or concluded? | | **PL. Obtained affidavit from the mortgagor for these facts.** |
|  | (b) If so, whether such litigation would adversely affect the creation of a valid mortgage or have any implication of its future enforcement? | **NA** | |
|  | Whether the title documents have any court seal/marking which points out any litigation/ attachment/security to court in respect of the property in question? In such case please comment on such seal/marking. | **No** | |
| 24 | In case of partnership firm, whether the property belongs to the firm and the deed is properly registered. | **NA** | |
|  | (b) Property belonging to partners, whether thrown on hotchpots? Whether formalities for the same have been completed as per applicable laws? | **NA** | |
|  | (c) Whether the person(s) creating mortgage has/have authority to create mortgage for and on behalf of the firm. | **NA** | |
| 25 | Whether the property belongs to a Limited Company, check the Borrowing powers, Board resolution, authorisation to create mortgage/execution of documents, Registration of any prior charges with the Company Registrar (ROC), Articles of Association /provision for common seal etc. | **No** | |

|  |  |  |  |
| --- | --- | --- | --- |
| 26 | In case of Societies, Association, the required authority/power to borrower and whether the mortgage can be created, and the requisite resolutions, bye-laws | | **NA** |
| 27 | (a) Whether any POA is involved in the chain of title? | | **NA** |
|  | (b) Whether the POA involved is one coupled with interest, .e. a Development Agreement-cum-Power of Attorney. If so, please clarify whether the same is a registered document and hence it has created an interest in XXXavour of the builder/developer and as such is irrevocable as per law. | | **NA** |
|  | (c) In case the title document is executed by the POA holder, please clarify whether the POA involved is (i) one executed by the Builders viz. Companies/ Firms/Individual or Proprietary Concerns in XXXavour of their Partners/ Employees/ Authorized Representatives to sign Flat Allotment Letters, NOCs, Agreements of Sale, Sale Deeds, etc. in XXXavour of buyers of flats/units (Builder’s POA) or (ii) other type of POA (Common POA). | | **NA** |
|  | (d) In case of Builder’s POA, whether a certified copy of POA is available and the same has been verified/compared with the original POA | | **NA** |
|  | (e) In case of Common POA (i.e. POA other than Builder’s POA), please clarify the following clauses in respect of POA. | | **NA** |
|  | 1. Whether the original POA is verified and the title investigation is done on the basis of original POA?   ii. Whether the POA is a registered one?  iii. Whether the POA is a special or general one?  iv. Whether the POA contains a specific authority for execution of title document in question? | | **NA**  **NA**  **NA**  **NA** |
|  | (f) Whether the POA was in force and not revoked or had become invalid on the date of execution of the document in question? (Please clarify whether the same has been ascertained from the office of sub-registrar also?) | | **NA** |
|  | (g) Please comment on the genuineness of POA? | | **NA** |
|  | (h) The unequivocal opinion on the enforceability and validity of the POA? | | **NA** |
| 28 | Whether mortgage is being created by a POA holder, check genuineness of the Power of Attorney and the extent of the powers given therein and whether the same is properly executed/ stamped/ authenticated in terms of the Law of the place, where it is executed | | **No** |
| 29 | If the property is a flat/apartment or residential/commercial complex, check and comment on the following:  (a) Promoter’s/Land owner’s title to the land/ building;  (b) Development Agreement/Power of Attorney;  (c) Extent of authority of the Developer/builder;  (d) Independent title verification of the Land and/or building in question;  (e) Agreement for sale (duly registered);  (f) Payment of proper stamp duty;  (g) Requirement of registration of sale agreement, development agreement, POA, etc.;  (h) Approval of building plan, permission of appropriate/local authority, etc.;  (i) Conveyance in favour of Society/ Condominium concerned;  (j) Occupancy Certificate/allotment letter/letter of possession;  (k) Membership details in the Society etc.;  (l) Share Certificates;  (m) No Objection Letter from the Society;  (n) All legal requirements under the local/Municipal laws, regarding ownership of flats/Apartments/Building Regulations, Development Control Regulations, Co-operative Societies’ Laws etc.;  (o) Requirements, for noting the Bank charges on the records of the Housing Society, if any;  (p) If the property is a vacant land and construction is yet to be made, approval of lay-out and other precautions, if any.  (q) Whether the numbering pattern of the units/flats tally in all documents such as approved plan, agreement plan, etc | | **No**  **NA**  **NA**  **NA**  **NA**  **NA**  **NA**  **NA**  **NA**  **NA**  **NA**  **NA**  **NA**  **NA**  **NA**  **NA**  **NA** |
| 30 | Encumbrances, Attachments, and/or claims whether of Government, Central or State or other Local authorities or Third Party claims, Liens etc. and details thereof. | **THIS LAND IS MORTGAGE IN FAVOUR OF SBI KRASHI VIKAS SHAKHA MOTH FOR RS {Amount} ON NON.NO OTHER ENCUMBRANCE IS FOUND IN SR OFFICE MOTH.** | |
| 31 | The period covered under the Encumbrances Certificate and the name of the person in whose favour the encumbrance is created and if so, satisfaction of charge, if any. | | **1-1-2015 to 15-12-2021**  **{2} S/O {4} R/O {5}** |
| 32 | Details regarding property tax or land revenue or other statutory dues paid/payable as on date and if not paid, what remedy? | | **LAND REVENUE** |
| 33 | (a) Urban land ceiling clearance, whether required and if so, details thereon.  (b) Whether No Objection Certificate under the Income Tax Act is required/ obtained. | | **NA**  **NA** |
| 34 | Details of RTC extracts/mutation extracts/ Katha extract pertaining to the property in question. | | **NA** |
| 35 | Whether the name of mortgagor is reflected as owner in the revenue/Municipal/Village records? | | **NA** |

|  |  |  |
| --- | --- | --- |
| 36 | (a) Whether the property offered as security is clearly demarcated?  (b) Whether the demarcation/ partition of the property are legally valid?  (c) Whether the property has clear access as per documents? | **YES**  **NA**  **NA** |
| 37 | Whether the property can be identified from the following documents, and discrepancy/doubtful circumstances, if any revealed on such scrutiny?  (a) Document in relation to electricity connection;  (b) Document in relation to water connection;  (c) Document in relation to Sales Tax Registration, if any applicable;  (d) Other utility bills, if any. | **NA**  **NA**  **NA**  **NA** |
| 38 | In respect of the boundaries of the property, whether there is a difference/discrepancy in any of the title documents or any other documents (such as valuation report, utility bills, etc.) or the actual current boundary? If so please elaborate/ comment on the same. | **NA** |
| 39 | If the valuation report and/or approved/ sanctioned plans are made available, please comment on the same including the comments on the description and boundaries of the property on  The said document and that in the title deeds. (If the valuation report and/or approved plan are not available at the time of preparation of TIR, please provide these comments subsequently, on making the same available to the advocate.) | **NA** |
| 40 | Any bar/restriction for creation of mortgage under any local or special enactments, details of proper registration of documents, payment of proper stamp duty etc | **No** |
| 41 | Whether the Bank will be able to enforce SARFESI Act, if required against the property offered as security? | **THIS IS AGRICULTURE LAND SO SARFESI ACT NOT APLICABLE** |
| 42 | In case of absence of original title deeds, details of legal and other requirements for creation of a proper, valid and enforceable mortgage by deposit of certified extracts duly certified etc., as also any precaution to be taken by the Bank in this regard. | **NA** |
| 43 | Whether the governing law/constitutional documents of the mortgagor (other than natural persons) permits creation of mortgage and additional precautions, if any to be taken in such cases. | **NA** |
| 44 | Additional aspects relevant for investigation of title as per local laws. | **NA** |
| 45 | Additional suggestions, if any to safeguard the interest of Bank/ ensuring the perfection of security. | **NA** |
| 46 | The specific persons who are required to create mortgage/to deposit documents creating mortgage. | **{2} S/O {4} R/O {5}** |
| 47 | **Whether the Real Estate Project comes under Real Estate (Regulation and Development) Act,2016? Y/N.** | NO |
| **Whether the project is registered with the Real Estate Regulatory Authority? If so, the details of such registration are to be furnished,** | NO |
| **Whether the registered agreement for sale as prescribed in the above Act/Rules there under is executed?** | NO |
| **Whether the details of the apartment/ plot in question are verified with the list of number and types of apartments or plots booked as uploaded by the promoter in the website of Real Estate Regulatory Authority?** | NO |

Note: In case separate sheets are required, the same may be used, signed and annexed.

**Date -20-12-2021 (ANIL KUMAR AGRAWAL)**

**Place-MOTH Advocate**

**Annexure –C: Certificate of title**

1. I have examined the KHATAUNI /Title Deeds/ intended to be deposited relating to the schedule property/(ies) and offered as security by way of \*Registered/ Equitable/English Mortgage (\*please specify the kind of mortgage) **Equitable mortgage** and that the documents of title referred to in the Opinion are valid evidence of Right, title and Interest and that if the said Registered/ Equitable Mortgage is created, it will satisfy the requirements of creation of Registered/ Equitable Mortgage and I further certify that:
2. I have examined the Documents in detail, taking into account all the Guidelines in the check list vide Annexure B and the other relevant factors.
3. I confirm having made a search in the Land/ Revenue records. I also confirm having verified and checked the records of the relevant Government Offices,/Sub-Registrar(s) Office(s), Revenue Records, Municipal/ Panchayat Office, Land Acquisition Office, Registrar of Companies Office, Wakf Board (wherever applicable). I do not find anything adverse which would prevent the Title Holders from creating a valid Mortgage. I am liable /responsible, if any loss is caused to the Bank due to negligence on my part or by my agent in making search.
4. Following scrutiny of Land Records/ Revenue Records, relative Title Deeds, certified copies of such title deeds obtained from the concerned registrar office and encumbrance certificate (EC), I hereby certify the genuineness of the Title Deeds. Suspicious/ Doubt, if any, has been clarified by making necessary enquiries.
5. There are no prior Mortgage/ Charges/ encumbrances whatsoever, as could be seen from the Encumbrance Certificate for the period from 01-01-2015 to 15-12-2021 pertaining to the Immovable Property/(ies) covered by above said Title Deeds. The property is free from all Encumbrances.
6. In case of second/subsequent charge in favour of the Bank, there are no other mortgages/charges other than already stated in the Loan documents and agreed to by the Mortgagor and the Bank (Delete, whichever is inapplicable).
7. Minor/(s) and his/ their interest in the property/(ies) is to the extent of Nil (Specify the share of the Minor with Name). (Strike out if not applicable).
8. The Mortgage if created, will be available to the Bank for the Liability of the Intending Borrower, Shri/Smt/M/s **{2} S/O {4} R/O {5}.**
9. I certify that Shri/ Sm M/s. **{2} S/O {4} R/O {5}** has / have an absolute, clear and Marketable title over the Schedule property/ (ies). I further certify that the above title deeds are genuine and a valid mortgage can be created and the said Mortgage would be enforceable.
10. In case of creation of Mortgage by Deposit of title deeds, we certify that the deposit of following title deeds/ documents would create a valid and enforceable mortgage:
11. There are no legal impediments for creation of the Mortgage under any applicable Law/ Rules in force.

SCHEDULE OF THE PROPERTY (IES)

Place: MOTH (**ANIL KUMAR AGRAWAL**)

Date:15-12-2021 ‘’Advocate’’

S.R. Office MOTH Legal Advisor, SBI